

Appl. No. 10/799,175
Response to Office Action mailed April 25, 2005

Atty Dkt. No. 114208-023

REMARKS

The non-final Office Action was issued on pending claims 1-11. Claims 2-4, 7 and 8 were objected to, claims 1, 2 and 5-11 stand rejected and claims 3 and 4 were noted as allowable. In this Response, claims 1, 2 and 7-10 have been amended, claim 6 has been cancelled without prejudice and no claims have been added. Thus, claims 1-5 and 7-11 are pending in the application.

Applicants invite the Examiner to call Applicants' Representative to discuss any issues with this application.

Specification

The specification has been amended to correct typographical errors. New matter has not been added by the amendments.

Allowable Claims

At pages 4 and 5 of the Office Action, claims 3 and 4 were objected to as being dependent upon a rejected base claim, but noted as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for the notice of allowable claims.

Claim Objections

The Office Action at page 2 objects to claims 2, 7 and 8 as containing informalities. In response, claims 2, 7 and 8 have been amended to correct the informalities. Also, claim 9 has been amended to properly depend from claim 8. Claim 10 has been amended to remove the lack of clarity as to the antecedent basis.

Thus, Applicants submit that the objections should be withdrawn.

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Claim Rejections – 35 USC §§102, 103

The Office Action at page 2 rejects claims 1, 2 and 5 under 35 U.S.C. §102(b) as being anticipated by Wasko (US 4,090,279). At page 3 of the Office Action, claims 10 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wasko. At pages 3-4 of the Office Action, claims 6-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wasko in view of Schwendt (US 3,922,761). Applicants respectfully disagree.

Amended Claim 1 calls for “wherein the reinforcement portion comprises an inside portion formed of plural ribs disposed obliquely as seen in its plan view on a side connected to the separable bottom end stop and an outside portion connected to the inside portion and extended toward an outer edge of one of the fastener tapes, the outside portion being formed of plural ribs disposed in parallel with a predetermined interval.”

In an embodiment of Applicants' invention as claimed in claim 1, a reinforcement portion 10 of a separable bottom end stop 5 comprises an inside portion 11 having ribs 13a disposed obliquely and an outside portion 12 having ribs 13b disposed in parallel with a predetermined interval. The structure of the reinforcement portion 10 having the inside portion 11 with oblique ribs 13a and the outside portion 12 with parallel ribs 13b at a predetermined interval is not disclosed in any of the cited references. As described below, the inside portion 11 and the outside portion 12 each has its own particular function which is different from each other. None of the cited references disclose a reinforcement portion with such two different functions.

The reinforcement portion 10 of the separable bottom end stop 5 of the present invention has an inside portion 11 connected to an insert pin 9 or a box pin 8 and an outside portion 12 connected to the inside portion 11 and extended toward an outer edge of the fastener tape 3. The separable bottom end stop 5 is attached to end portions of right and left fastener element rows in order to connect or separate the end portions of the fastener element rows wherein external forces such as pulling forces, pushing forces, twisting forces and so on are applied in order to carry out the connection or the separation. Because the inside portion 11 forms a connection between the insert pin 9 or the box pin 8 and the reinforcement portion 10, the inside portion 11 is susceptible to the external forces applied to the reinforcement portion 10. However, according to the present invention, the inside portion 11 of the reinforcement portion 10 has the oblique

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ribs 13a that disperse the external forces, thereby preventing the reinforcement portion 10 from being damaged by the external forces.

Turning to the outside portion 12, the outside portion 12 is disposed closer to an outer edge of the fastener tape 3 than the inside portion 11 and the outside portion 12 is located on a sewing line when the fastener tape 3 is sewn on an article. Because of the location of the outside portion 12, there is a risk that a sewing needle collides with the outside portion 12 during sewing and causes damage to the outside portion 12. Therefore, according to the present invention the outside portion 12 has a shape which avoids the collision between the outside portion 12 and the sewing needle. If the outside portion 12 has the same oblique rib shape as the inside portion 11, the risk to of collision with the sewing needle increases, which results in damage to or breaking of the ribs and damage to the reinforcement portion. In order to solve this problem, the present invention provides the outside portion 12 with parallel ribs 13b disposed with a predetermined interval, unlike the inside portion 11. With the parallel ribs 13b, the risk in which the ribs 13b collide with the sewing needle decreases, thereby preventing the ribs 13b from being broken and the reinforcement portion 10 from being damaged.

Turning to the cited references, Wasko lacks Applicants' claimed feature of the outside portion being formed of plural ribs disposed in parallel. The Office Action at page 3 acknowledges this deficiency of Wasko. Furthermore, claim 6 which had the features of the outside portion being formed of plural ribs disposed in parallel (now in amended claim 1) was not rejected under §102 in view of Wasko.

As to Schwendt, Schwendt merely shows one inclined rib 11. Conversely, Applicants' claim 1 calls for the inner portion to have plural ribs disposed obliquely. Wasko and Schwendt do not disclose or suggest Applicants' claimed invention or the function of Applicants' invention.

The dependent claims are allowable at least for the same reasons that claim 1 is allowable.

Thus, Applicants submit that the rejections should be withdrawn.

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CONCLUSION

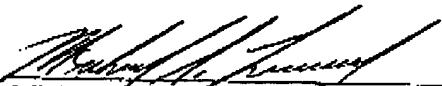
Applicants submit that the patent application is in condition for allowance and request a Notice of Allowance be issued.

Respectfully submitted,

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BY



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